

DELEGATE KIEFER: Mr. Chairman, I rise on a point of personal privilege, if I might.

I have received three letters which are from the Maryland Classified Employees Association, Inc., Classified Municipal Employees Association of Baltimore and the Baltimore County Classified Employees Association.

These came to me unsolicited and they came in sufficient number to be distributed to every member, not at the expense of the Convention but of these organizations.

I would like to have these distributed at this time, if I may, sir.

THE CHAIRMAN: Do the pages have them?

DELEGATE KIEFER: Yes, sir.

THE CHAIRMAN: Do they know what they are?

DELEGATE KIEFER: Yes, sir.

THE CHAIRMAN: Delegate Miller.

DELEGATE MILLER: Mr. Chairman, I would question whether this is a personal privilege or an attempt to lobby on the floor at this point.

THE CHAIRMAN: Let me find out what they are. Are these documents sent to you as Chairman of the Committee?

DELEGATE KIEFER: Yes, sir. These are all addressed to the Committee on Personal Rights and the Preamble.

THE CHAIRMAN: Have they been heretofore presented to the Committee?

DELEGATE KIEFER: No, sir, they just arrived.

DELEGATE BOTHE: Mr. Chairman.

THE CHAIRMAN: Just a second.

Delegate Kiefer, if these were documents that had been heretofore considered by the Committee, I think it would be proper to distribute them. I do not think that we can permit documents to be distributed in the course of debate otherwise.

We have followed the practice that delegates can distribute memoranda and can incorporate in their memoranda statements of others, but I think this would go beyond that practice. I thought this was something that had been heretofore considered by the Committee, and I think anything considered by the Committee could be considered by all delegates.

DELEGATE KIEFER: We have a report and we had a hearing in which we had received material from the Maryland Classified Employees Association prior to this, but these letters just arrived, sir.

THE CHAIRMAN: Under the circumstances, I do not think they should be distributed at this time.

Delegate Kiefer.

DELEGATE KIEFER: I yield three minutes to Delegate Hostetter.

THE CHAIRMAN: Delegate Hostetter.

DELEGATE HOSTETTER: Mr. Chairman and members of the Committee of the Whole, first of all, let me state this: I do not subscribe to Delegate Bothe's coffee shop theory of organizing and collective bargaining.

I submit this amendment of the minority, viewed in the clear light of day, says emphatically, without spelling it out, that employees must join the union.

If this were not so, what would the meaning of the words "organize and bargain collectively" be?

It is quite apparent that organization and collective bargaining cannot take place in a vacuum. Three paragraphs of the Minority Report refer to public employees, and their need for this provision in Maryland's Constitution.

At this point I should like to quote from a statement of the Maryland Classified Employees Association. I might add that these Maryland employees are public employees, and I quote from this statement.

"Although the Minority Report in its presentation leaves the reader with the impression that the Constitutions of Hawaii, New Jersey, New York, and Missouri grant the right of collective bargaining to public as well as private employees, the above interpretation of those states' constitutions by their respective highest judicial tribunals clearly state that the right of collective bargaining is not granted to public employees.

"Therefore, it would be an exercise in futility, and a lack of public responsibility, for the Maryland Constitutional Convention to write into Maryland's basic organic law the provision advocated for in the minority report.

"The Minority Report also has mistakenly stated the theory under which public employees have been denied the